

Message Text

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ACTION OES-07

INFO OCT-01 EUR-12 ISO-00 L-03 H-01 EB-08 COME-00
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INRE-00 SSO-00 NSCE-00 SS-15 PA-01 ICAE-00 CG-00
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O 032239Z MAY 78
FM AMEMBASSY OTTAWA
TO SECSTATE WASHDC IMMEDIATE 7294

C O N F I D E N T I A L SECTION 01 OF 02 OTTAWA 02277

E.O. 11652: GDS
TAGS: EFIS, CA
SUBJECT: US-CANADIAN 1978 INTERIM RECIPROCAL FISHERIES
AGREEMENT

OES FOR NEGROPONTE

REF: A. STATE 110868; B. OTTAWA 2260; C. OTTAWA 2278

1. SUMMARY: AMBASSADOR MET WITH EXTAFF UNDER SECRETARY GOTLIEB MAY 3 TO PROBE CANADIAN INTENTIONS IN INTERIM AGREEMENT. GOTLIEB SAID SWIFTSURE ACTION, WHILE LEGALLY JUSTIFIED, ERODES BC TROLLERS' SUPPORT FOR INTERIM AGREEMENT. ALLEGED U.S. ACTIONS IN GULF OF MAINE HAVING SAME EFFECT IN EAST. BUT HE DIDN'T DISAGREE THAT OPTIONS CANADA HAS CONSIDERED OF "STAYING BEHIND OUR FENCES" OR ABANDONING INTERIM AGREEMENT COULD DEFEAT MAIN OBJECTIVE OF SUCCESSFUL NEGOTIATION OF PERMANENT SETTLEMENT. CANADIANS ARE CALLING CADIEUX BACK TO MEET WITH CUTLER NEXT WEEK. END SUMMARY.

2. EXTAFF UNDER SECRETARY GOTLIEB OPENED BY EXPRESSING GRAVE CONCERN OVER MANNER IN WHICH 1978 INTERIM FISHERIES AGREEMENT IS BEING IMPLEMENTED, AND REGISTERING COMPLAINTS
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WITH RESPECT TO SPECIFIC FISHERIES ON BOTH EAST AND WEST COASTS. GOTLIEB PRESENTED AIDE MEMOIRE (TEXT CONTAINED REF C) SUMMARIZING SPECIFIC COMPLAINTS, ANNOUNCING THAT GOC WILL NOT FOR TIME BEING CLOSE THE SALMON FISHERY ON SWIFTSURE BANK (GOC MAY IN TEN DAYS), ASKING THAT U.S. RESTORE PROVISIONS OF AGREEMENT SUSPENDED ON MAY 1, AND PROPOSING THAT SPECIAL NEGOTIATORS (CUTLER AND CADIEUX)

CONVENE MEETING DURING WEEK OF MAY 8 TO REVIEW DIFFICULTIES AFFECTING INTERIM AGREEMENT AND, IN PARTICULAR, TO CONSIDER MUTUALLY ACCEPTABLE DOMESTIC REGULATIONS.

3. GOTLEIB STATED THAT, ON BEHALF OF MINISTERS CONCERNED, HE WISHED TO EXPRESS "SORROW AND DISAPPOINTMENT" WHICH GOC FEELS ABOUT "LACK OF COMMITMENT" ON PART OF USG TO IMPLEMENT EFFECTIVELY THE 1978 INTERIM FISHERIES AGREEMENT. HE CITED PROBLEMS WITH RESPECT TO SEVERAL SPECIES. HE SUGGESTED THAT THE ESSENCE OF THE 1978 INTERIM AGREEMENT IS TO MAINTAIN EXISTING FISHERIES PATTERNS TO LARGE EXTENT AND IMPROVE CONSULTATION PROCEDURES WHILE WE ATTEMPT TO WORK OUT LONG TERM AGREEMENT. CONTRARY TO THAT SPIRIT, HOWEVER, REGIONAL MANAGEMENT PLANS ON THE EAST COAST, IN PARTICULAR, ARE UNILATERALLY AND WITHOUT CONSULTATION WITH CANADA SIGNIFICANTLY INCREASING CATCH LEVELS.

4. GOTLIEB SAID THAT FOR TIME BEING THE GOC WISHES TO RESERVE ITS POSITION WITH RESPECT TO REVIEWING OR REJECTING THE 1978 AGREEMENT. MEANWHILE, THE GOC PROPOSES AN URGENT MEETING BETWEEN THE SPECIAL NEGOTIATORS (CUTLER-CADIEUX) AND REQUESTS COMMITMENT BY USG THAT CANADIAN CONCERNS WILL BE FULLY TAKEN INTO ACCOUNT IN DEVELOPMENT OF REGIONAL MANAGEMENT PLANS.

5. FINALLY, GOTLIEB WISHED TO REGISTER "DEEPEST CONCERN"
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OVER ALLEGED EAST COAST OVER-FISHING OF SCALLOPS, POLLOCK, COD AND HADDOCK. HE CHARACTERIZED SITUATION AS "GOING TO THE DOGS IN A FAST CAR."

6. IN RESPONSE, AMBASSADOR BEGAN BY AGREEING THAT WE MAY NOT HAVE COMMUNICATED EFFECTIVELY WITH RESPECT TO SWIFTSURE CLOSURE. BUT WITH RESPECT TO SUBSTANCE OF THAT ISSUE, BARGAIN WAS STRUCK IN THE NEGOTIATIONS WHEREBY CANADIAN SALMON TROLLERS WERE PERMITTED TO EXTEND THEIR ACTIVITIES SOUTHWARD, WHILE OUR PART OF THE BARGAIN WAS CONTAINED IN ARTICLE 1.C. WITH RESPECT TO SWIFTSURE BANK. IT IS CLEAR THAT OUR CONSERVATION EXPERTS DISAGREE. IN ANY CASE, DUE TO CANADIAN DELAY IN CLOSING SWIFTSURE, USG IS FACED WITH A LAW SUIT AND EROSION OF CONGRESSIONAL SUPPORT FOR INTERIM AGREEMENT. WE SAW SWIFTSURE AS A LIMITED ISSUE, BUT PROCESS OF HANDLING IT HAS BEEN CLEARLY CORROSIVE TO BROADER INTERESTS OF US BOTH.

7. TURNING TO LARGER ISSUES, AMBASSADOR EXPRESSED CONCERN OVER CANADIAN PROPOSAL THAT EACH SIDE "GET BEHIND ITS OWN FENCE" SINCE THIS COULD REMOVE THE INCENTIVE TO RATIFY THE INTERIM AGREEMENT AND CREATE A CLIMATE PREJUDICIAL TO

THE LONG TERM NEGOTIATION. IN SHORT, THE GOC APPEARED TO BE CONTEMPLATING AN ESCALATION LEADING DIRECTLY TO THE CHAOTIC SITUATION WE HAVE TRIED SO LONG TO AVOID.

8. GOTLIEB DID NOT DISAGREE WITH THIS ASSESSMENT, BUT REITERATED THAT THE INTERIM AGREEMENT WAS INTENDED TO MAINTAIN THE STATUS QUO AND THAT IS NOT TAKING PLACE. MEANWHILE, CANADIAN WEST COAST CONSTITUENCY IS GETTING OUT OF HAND. AMBASSADOR POINTED OUT THAT IF CANADA HAD MOVED FASTER IN OUR CONSULTATIONS ON SWIFTSURE PERHAPS A LESS SEVERE ROLLBACK WOULD HAVE BEEN NECESSARY. AFTER ALL, WE

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C O N F I D E N T I A L SECTION 02 OF 02 OTTAWA 02277

HAD TO PUT INTERIM TOGETHER IN PRESENT CLIMATE OF UNCERTAINTY BECAUSE GOC WANTED A "HOLIDAY" FROM THE NEGOTIATIONS. SPEAKING PERSONALLY AMBASSADOR ASKED WHETHER WE SHOULD NOT CONSIDER AN EARLIER RESUMPTION OF THE LONG TERM NEGOTIATION, NOW THAT EARLY CANADIAN FEDERAL ELECTIONS ARE LESS LIKELY. GOTLIEB SAID HE WOULD CONSIDER THAT.

9. DISCUSSION THEN TURNED TO CANADIAN PROPOSAL FOR MEETING BETWEEN SPECIAL NEGOTIATORS. THEY ARE CURRENTLY SCHEDULED TO MEET IN BRUSSELS ON JULY 4-6. TO ARRANGE MEETING DURING WEEK OF MAY 8, IT WAS AGREED THAT MESSRS. CUTLER AND CADIEUX SHOULD DISCUSS DIRECTLY BY TELEPHONE THEIR RESPECTIVE SCHEDULES.

10. COMMENT: GOC HAS SHIFTED EMPHASIS AWAY FROM SWIFTSURE BANK AND WEST COAST FISHERIES AND TOWARD ALLEGED PLANS OF U.S. REGIONAL COUNCILS TO INCREASE SIGNIFICANTLY THE CATCH LEVELS IN SEVERAL FISHERIES, PARTICULARLY IN GULF OF MAINE. GOTLIEB REPEATEDLY STRESSED TWO POINTS: (A) RISK

OF AGGREGATE CATCHES FROM BOTH SIDES ESCALATING TO LEVELS WELL BEYOND PRUDENT CONSERVATION, AND (B) LACK OF CONSULTATION OR OTHER MECHANISM WHEREBY CANADIAN INTERESTS AND CONCERNS WOULD BE ADEQUATELY CONSIDERED IN FORMULATION OF U.S. MANAGEMENT PLANS.

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11. CANADIANS APPEAR TO HAVE MISREAD US AND THOUGHT THEY COULD TALK US OUT OF WITHDRAWING 1978 EXTENSIONS. FAILURE OF THIS TACTIC PUTS THEM BEHIND THE 8-BALL WITH THEIR TROLL CONSTITUENCY. GOTLIEB IS CLEARLY DISSATISFIED BY BAND-AID NATURE OF INTERIM AGREEMENT AND NEED TO DEAL WITH RECURRING IRRITANTS. WE SHOULD MOVE AS VIGOROUSLY AS POSSIBLE TO CAPITALIZE ON THAT FEELING WITH PROPOSALS FOR ACHIEVING LONG TERM AGREEMENT. END COMMENT.

12. PLEASE GIVE US ANALYSIS OF EXTENT TO WHICH CANADIAN COMPLAINTS ON EAST COAST ARE JUSTIFIED.

13. DEPARTMENT WILL NEED TO DISCUSS WITH AMBASSADOR CUTLER HIS AVAILABILITY FOR AN EARLY MEETING WITH CADIEUX, AND SUGGEST THAT HE BE IN DIRECT CONTACT WITH CADIEUX ON TIMING. ENDERS

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